

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

ECK-et al.

Atty. Ref.: 723-1458

Serial No. 10/805,243

TC/A.U.: unknown

Filed: March 22, 2004

Examiner: unknown

For: GAME MACHINE HAVING WIRELESS COMMUNICATION
CAPABILITY

* * * * *

March 31, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

1. ☒ This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required. In the event, a first Office Action has been mailed prior to filing of the present Information Disclosure Statement, the Office is requested to treat the present paper s a submission under 37 C.F.R. § 1.97(c) and charge the undersigned's Deposit Account No. 14-1140 for the fee required by 37 C.F.R. § 1.17(p). The present paper is submitted in duplicate for this purpose.

2. ☐ This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

a. ☐ I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. ☐ I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

c. ☐ Attached is our Check No. in the amount of \$ in payment of the fee under 37 C.F.R. § 1.17(p).

3. ☐ This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered. Attached is our Check No. in the amount of \$ in payment of the fee under 37 C.F.R. § 1.17(i).

- a. ☐ I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- b. ☐ I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
4. ☐ Relevance of the non-English language document(s) is discussed in the present specification.
5. ☐ The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.
6. ☐ A concise explanation of the relevance of the non-English language document(s) appears below:
7. ☐ The Examiner's attention is directed to co-pending U.S. Patent Application No. , filed , (copy attached) which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
8. ☒ Copies of the documents were cited by or submitted to the Office in Application No. 09/659,738, filed September 11, 2000, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

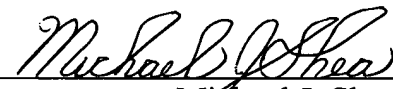
ECK et al.
Serial No. 10/805,243

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 14-1140 referencing docket number 723-1458.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Michael J. Shea
Reg. No. 34,725

MJS:mjs
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

INFORMATION DISCLOSURE
CITATION

ATTY. DOCKET NO.

SERIAL NO.

723-1458

10/805,243

APPLICANT

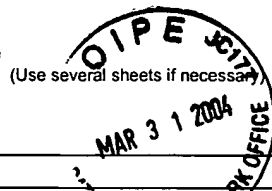
ECK et al.

FILING DATE

GROUP

March 22, 2004

unknown



U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,376,931	12/1994	MARRS			
	5,387,904	02/1995	TAKADA			
	5,429,363	07/1995	HAYASHI			
	5,510,778	04/1996	KRIETER et al.			
	5,538,255	07/1996	BARKER			
	5,618,045	04/1997	KAGAN et al.			
	5,624,316	04/1997	ROSKOWSKI et al.			
	5,651,060	07/1997	COHN et al.			
	5,733,131	03/1998	PARK			
	5,738,583	04/1998	COMAS et al.			
	5,761,485	06/1998	MUNYAN			
	5,809,415	09/1998	ROSSMANN			
	5,812,930	09/1998	ZAVREL			
	5,889,473	03/1999	WICKS			
	5,941,775	08/1999	NAKA et al.			
	5,942,969	08/1999	WICKS			
	5,971,397	10/1999	MIGUEL et al.			
	5,999,808	12/1999	LaDUE			
	6,120,379	09/2000	TANAKA et al.			

FOREIGN PATENT DOCUMENTS

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
NO- *	07 088523	04/1995	JAPAN		
* *	2,287,414	09/1995	UNITED KINGDOM		
Rec'd *	07-274228	10/1995	JAPAN		
C *	9 224271	08/1997	JAPAN		
	10 076071	03/1998	JAPAN		
	0 868 032 A2	09/1998	EP		
	10 327439	12/1998	JAPAN		
	11-088508	03/1999	JAPAN		
	11-137851	05/1999	JAPAN		
	2,331,195	05/1999	UNITED KINGDOM		
	11-271420	10/1999	JAPAN		

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

NO *	Why Newton? [http://users.primushost.com/~rik/newtontoday/why.html], Newton Today, August 16, 1996, pp. 1-5
Rec'd	Network Queuing Theory and Its Application to Computer System Models, submitted by Milwaukee School of Engineering [retrieved from http://people.msoe.edu/~barnicks/courses/cs384/papers/9899/torres.pdf] (January 28, 1999)

*Examiner	Date Considered
-----------	-----------------

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.